

**IN THE UNITED STATES  
PATENT AND TRADEMARK OFFICE**

**Patent Application**

**Inventors:** Vinh Thanh Vu  
**Serial No.:** 10/642868  
**Filing Date:** 8/18/2003  
**Art Unit:** 2837  
**Examiner:** Edgardo San Martin  
**Docket No.:** 125-001us  
**Title:** Vibration Control Platform

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF**

The Office issued a *Notification of Non-Compliant Appeal Brief* on November 21, 2007. According to the *Notification*, appellant's brief does not contain a concise explanation of the subject matter defined in each of the independent claims involved in the appeal. More particularly, the *Notification* alleged that the summary section does not map the independent claims on appeal to the specification by page and line number.

Responsive to the *Notification*, applicant hereby submits a replacement "Summary of the Claimed Subject Matter" section.

Respectfully,  
Vinh Thanh Vu

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## **(5) Summary of the Claimed Subject Matter**

The claimed subject matter on appeal pertains to a vibration-control platform. The platform is primarily intended for use with audio and video components, such as cd players, amplifiers, and the like.

Vibrations interfere with the ability of audio and video components to faithfully reproduce a recorded audio or video signal. Therefore, isolating audio or video components from vibration, and dissipating any vibration that these components generate, improves the performance (*i.e.*, sound and image quality) of audio and video systems.

The benefits of vibration control for audio equipment have been known for some time. Although certainly a niche market, various companies specialize in vibration-control products for audio and video systems. See, for example, [www.silentrunningaudio.com/sra\\_products.htm](http://www.silentrunningaudio.com/sra_products.htm), [www.townshendaudio.net/index.php?option=com\\_content&task=view&id=40&Itemid=99](http://www.townshendaudio.net/index.php?option=com_content&task=view&id=40&Itemid=99), [www.grandprixaudio.com/idx\\_products.php](http://www.grandprixaudio.com/idx_products.php), [www.starsoundtechnologies.com/livevibe.html](http://www.starsoundtechnologies.com/livevibe.html), [www.criticalmasssystems.com/HOME%20PAGE.htm](http://www.criticalmasssystems.com/HOME%20PAGE.htm), [www.brightstaraudio.com/vibration\\_control\\_products.htm](http://www.brightstaraudio.com/vibration_control_products.htm), [www.polycrystal.com/pc-mainframe.htm](http://www.polycrystal.com/pc-mainframe.htm), to name just a few.

The claimed invention, which, in fact, has been sold by Gingko Audio under the mark "Cloud 10™" ([www.gingkoaudio.com/cloud10.html](http://www.gingkoaudio.com/cloud10.html)) for several years, was developed to address shortcomings of vibration-control products sold by other companies, such as those mentioned above.

In some embodiments, the claimed resonance/vibration-control platform includes a bottom plate (102) having three or more "wells" or "dimples" (106) arranged in a two-dimensional array. Each well receives a vibration-control element (112), typically a resilient ball, like a "racquet ball." An audio or video component, such as a cd player or an amplifier, *etc.*, is positioned on the balls, or on a top plate (108) that rests on the balls. (See, *e.g.*, FIG. 1B.)

Although quite simple in construction, the claimed vibration control platform has proven to be exceedingly effective at accomplishing its intended purpose. See, for example, equipment test reviews by professional audio component reviewers at: [www.6moons.com/audioreviews/gingko/cloud10.html](http://www.6moons.com/audioreviews/gingko/cloud10.html), [www.positive-feedback.com/Issue13/gingkoaudio.htm](http://www.positive-feedback.com/Issue13/gingkoaudio.htm), [www.stereophile.com/artdudleylistening/1204listening/index.html](http://www.stereophile.com/artdudleylistening/1204listening/index.html).

About two thousand vibration-control platforms that are identical with the platform described, and that incorporate the claimed invention, have been sold since 2004.

With regard to the independent claims on appeal, claim 1 recites an article for use with spherical vibration-control elements, wherein said article comprises:

- a plate having a number,  $n$ , of spaced wells arranged in a two-dimensional array, wherein:
- (i) said two-dimensional array comprises at least two rows of said spaced wells with a minimum of three wells in each row;
  - (ii) said wells are suitably sized so that when a well receives said spherical vibration control element, said vibration control element contacts said plate at substantially every point along a perimeter of said well; and
  - (iii) said wells underlie said spherical vibration control elements, and further wherein, in use, the only constraint to unrestricted lateral movement of said spherical vibration control elements are said wells.

Regarding the limitations recited in independent claim 1, see: plate (102), two-dimensional array of spaced wells (106), and vibration control element (112), which are depicted, for example, in FIGs. 4, 5, and 6. See, also, description at [0045]-[0048] and [0056].

Claim 15 recites an article comprising:

- a plate, wherein said plate comprises a first plurality of spaced wells arranged in a two-dimensional array; and
- a second plurality of vibration-control elements, wherein said vibration-control elements are received by some but not all of said wells, one vibration-control element to a well.

Regarding the limitations recited in independent claim 15, see: plate (102), two-dimensional array of spaced wells (106), and vibration control element (112), which are depicted, for example, in FIGs. 4, 5, and 6. See, the description at [0045]-[0048] and [0056], and original claim 11.

Claim 21 recites an article comprising:

a bottom plate, wherein said bottom plate comprises a plurality of spaced wells arranged in a two-dimensional array;  
a plurality of resilient balls, wherein said resilient balls are received by some but not all of said wells; and  
a top plate, wherein said top plate is disposed on said resilient balls, and wherein a surface of said top plate that abuts said resilient balls is planar and does not include wells.

Regarding the limitations recited in independent claim 21, see: bottom plate (102), two-dimensional array of wells (106), top plate (108), and vibration control element (112), as depicted, for example, in FIGs. 1A, 3A. See, the description at [0035] and [0039].

Claim 26 recites an article comprising:

providing a bottom plate;  
forming a number,  $n$ , of wells in said bottom plate, wherein said wells are arranged in a two-dimensional array, and wherein said two-dimensional array has at least two rows of said wells, and further wherein each said rows comprises at least three wells; and  
providing a number,  $m$ , of vibration-control elements, wherein  $m$  is less than  $n$ .

Regarding the limitations recited in independent claim 26, see: bottom plate (102), wells (106), and vibration control element (112), as depicted in FIGs. 4, 5, and 6. See, the description at [0035]-[0037] and original claim 11.